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SENATE BILL 649

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

L. SKIP VERNON

AN ACT

RELATING TO LIQUEFIED PETROLEUM GASES; ENACTING A SECTION OF THE
LPG AND CNG ACT PERTAINING TO RESPONSIBILITIES AND LIABILITY OF
DISTRIBUTORS OF LIQUEFIED PETROLEUM GASES FOR GAS DISTRIBUTION
EQUIPMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the LPG and CNG Act is enacted
to read:

"~~[NEW MATERIAL]~~ GAS DISTRIBUTION EQUIPMENT--
RESPONSIBILITIES--DISTRIBUTOR LIABILITY.--

A. A distributor shall operate and maintain in safe,
efficient and proper condition all of its gas distribution
equipment up to and including the point of delivery into the
piping owned by the consumer. Unless otherwise agreed in
writing by the distributor and the consumer, the point of

Underscored material = new
[bracketed material] = delete

1 delivery shall be at the outflow side of the first stage
2 regulator.

3 B. A consumer shall operate and maintain in safe,
4 efficient and proper condition all gas distribution equipment
5 that is not the responsibility of a distributor under Subsection
6 A of this section.

7 C. No liability shall be imposed on a distributor in
8 any action at law for failure to inspect, check, repair or
9 maintain gas distribution equipment that is the responsibility
10 of the consumer under Subsection B of this section.

11 D. As used in this section:

12 (1) "consumer" means any person or entity who
13 purchases liquefied petroleum gases from a distributor;

14 (2) "distributor" means any person or entity
15 engaged in the sale, marketing or distribution of liquefied
16 petroleum gases; and

17 (3) "gas distribution equipment" means any
18 containers, regulators, piping, valves, controls or appliances
19 used or intended for use for the storage, distribution or use of
20 liquefied petroleum gases. "